GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes Department – Surprise Check conducted on Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District on 29-12- 2013 – Allegations of Corruption – Initiation of Disciplinary Proceedings against Sri M.Yalamandaiah, Attender, Commercial Tax Department, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.696 **Dated:27-08-2020**

Read the following:

1. From DG, ACB, Lr.Rc.No.56.DES-NNL/2013, dated 28.01.2016 & 30.06.2016.
2. G.O.Ms.No.238, Revenue (Vig.II) Department, dt.27-08-2020.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 2nd read above, it is considered necessary to hold an enquiry against Sri M.Yalamandaiah, Attender, Commercial Tax Department, Integrated Check Post B.V.Palem, Tada Mandal, SPSR Nellore District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri M.Yalamandaiah, Attender, Commercial Tax Department, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri M.Yalamandaiah, Attender, Commercial Tax Department, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri M.Yalamandaiah, Attender, Commercial Tax Department, Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another

Contd.,2

person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri M.Yalamandaiah, Attender, Commercial Tax Department, Integrated Check Post B.V.Palem, Tada Mandal, SPSR Nellore District (w.e, Annexures-I to IV) through the Chief Commissioner of State Tax, Andhra Pradesh, Vijayawada. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to

The Chief Commissioner of State Tax, Andhra Pradesh, Eeedpugallu, Vijayawada.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

The Deputy Commissioner, Commercial Taxes, SPSR Nellore District.

SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-I

ARTICLE OF CHARGES FRAMED AGAINST SRI M. YALAMANDAIAH, ATTENDER, COMMERCIAL TAX DEPARTMENT (INCOMING CHECK POST), ICP, B.V.PALEM, TADA MANDAL, SPSR NELLORE DISTRICT

CHARGE:-

That Sri M. Yalamandaiah, joined Govt.service on 16-11-1981 as sweeper while working as Attender Commercial Tax Department, ICP, BV Palem, Tada Mandal he committed gave misconduct in as much as being a public servant on duty together with five Jr. Assistants, two ACTOs and one Attender have made the crew of the vehicles to offer the amounts voluntarily for ignoring their violations while checking the records and the usual collection on 29-12-2013 was Rs.8,310/- collected on the counters and also engaged one private person for collection of mamools from the crew of the vehicles and an amounts of Rs.13,020/- was found with said private person by name N. Penchalaiah and Rs.6,300/- behind the seats of Sri Sk. Altaf, Jr. Asst, Sri Chiranjeevi, Jr. Asst and Sri Maheswara Reddy Jr. Asst and Rs.1,300/- was found infront of the western side door way of Incoming Commercial Tax Check Post and Rs.1,350/- was found behind the ACTO's seat where challans are issuing to the crew of the vehicles after verification of records.

Thus, Sri. M. Yalamandaiah, Attender, by the above mentioned acts has exhibited lack of integrity devotion to duty and conduct unbecoming of a Govt. Servant and thereby violated Rule 3 (1) (2) of APCS (Conduct) Rules, 1964.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE – II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVOUR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI M. YALAMANDAIAH, ATTENDER, COMMERCIAL TAX DEPARTMENT (INCOMING CHECK POST, ICP, B.V PALEM, TADA MANDAL, SPSR NELLORE DISTRICT.

That Sri. M. Yalamandaiah, Attender is a native of Nellore town, SPSR Nellore District and he joined in Government Service as Full Time Sweeper cum Night Watchman on 16.11.1981 and Promoted as Attender on 15.12.1994 and while working as thus at Integrated Check Post, B.V.Palem, Tada, Nellore District. His date of birth is on 01.07.1963 and date of retirement on attaining the age of superannuation is 31.12.2025. He is here-in-after referred to as Government Servant.

On credible information that the officers and staff of Integrated Check Post, B.V.Palem, Tada Mandal SPSR Nellore District are indulging in corrupt practices and collecting mamools from the crew of vehicles plying through ICP, B.V.Palem, a surprise check was conducted over transport wing, prohibition and excise wing, commercial taxes incoming and outgoing wings of ICP, B.V.Palem on 29-12-2013 from 00-30 hrs to 03-00 hrs with four teams headed by the DSP, ACB Nellore Range, Nellore in the presence of mediators. The surprise check revealed the following irregularities and violations. The Govt servant with other Incoming Commercial Taxes Wing officials directly collecting mamools and also engaged one private person Sri N.Penchalaiah, to collect mamools ranging from Rs.20/- to Rs.200/-from crew of vehicles plying through the check post and he is found in possession of Rs.13,020/- and usual collecting on 29-12-2013 Rs.8,310/- collected at counters. An unaccounted amount of Rs.1,1 10/- found with ACTO was seized. Total an unaccounted amount of Rs.31,390/- was seized in the premises of Incoming Commercial Taxes Wing. Attendance registers/duty registers and personal cash registers and other relevant documents of ICP were seized.

Thus the Government Servant by his above-mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3 (1) (2) of APCS (Conduct) Rules, 1964.

Thus the Government Servant has therefore rendered himself liable for departmental action for major penalty for his misconduct.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE - III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI M. YALAMANDAIAH, ATTENDER, COMMERCIAL TAX DEPARTMENT (INCOMING CHECK POST, ICP, B.V PALEM, TADA MANDAL, SPSR NELLORE DISTRICT.

1. Duty Register(Attendance register) of ICP, B.V.Palem.
2. Personal Cash Register, 2013.
3. Rough sketch of scene of offence, Dt: 29.12.2013.
4. Mediators report drafted on 29.12.2013 for the surprise check conducted over the ICP, B.V. Palem, Tada Mandal, SPSR Nellore Dist.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE – IV

LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST SRI M. YALAMANDAIAH, ATTENDER, COMMERCIAL TAX DEPARTMENT (INCOMING CHECK POST, ICP, B.V PALEM, TADA MANDAL, SPSR NELLORE DISTRICT.

1. Sri Mandati Prasad S/o Guravaiah, Age: 37 Years, Caste: Yadava, R/o Dandavolu, Dakkili Mandal, SPSR Nellore Dist. Vehicle No. AP 26 TV 9396.
2. Sri Bandi Nagaraju S/o Venkateswarlu, Age: 23 Years, Caste: Vaddi, R/o Kanchikicherla Village, Veerlapati Mandal, Krishna District Vehicle No. AP 16 TY 3997.
3. Sri Shaik Rafi S/o Abdul Razzak, Age: 25 Years, Muslim, R/o Inkollu Road, Parchur Village, Parchur Mandal, Prakasam Dist, Vehicle No. CG 04 JC 9244.
4. Sri Bollepalli Purnachand, S/o Venkaiah, Age: 36 Years, Deputy Executive Engineer, Irrigation & CAD Department, SE Construction Circle, Ongole, Prakasam District.
5. Sri Thondamalli. Venkata Ramana, S/o Venkataiah, Age: 46 Years, Assti. Executive Engineer, Irrigation & CAD Department, SE Construction Circle, Ongole, Prakasam District.
6. Sri Yelchuri Ramanjaneyulu S/o Venkateswarlu, Age: 32 Years, O/o SE Construction Circle, Ongole, Prakasam District.
7. Sri.M. Krupanandam, Inspector of Police, ACB, Nellore.
8. Sri. T.V. Srinivasa Rao, Inspector of Police, ACB, Nellore.
9. Sri.J.Bhaskara Rao, Dy.Supdt. of Police, ACB, Nellore.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER